

Richard N. Valencia  
9255 West Taylor Street  
Tolleson, Arizona 85353

Attn: ResCap Claims Processing Center  
c/o KCC  
P.O.Box 5004  
Hawthorne, CA 90250

Attn: United States Bankruptcy Court of New York  
Office of the Clerk  
One Bowling Green, Room 511  
New York, New York 1004-1408

You're Honor:

The following information and respond is important to my complaint against GMAC Mortgage. First, it starts with Ideal Mortgage Bankers, LTD/Loan America 520 Broad hollow Road, Suite 100E, Melville, NY 11747. Approximately on 9/2008, I Richard N. Valencia entered into an agreement to refinance my home with Ideal Mortgage. They charged me \$10,000 to close this deal. They did not tell me that. Secondly, they over appraised my home to approximately 4 times its value. Thirdly, my home is underwater -\$75,000. Fourthly, I told Ideal Mortgage I could not afford the \$1,000 dollar per month payment and they advised me it was all done. Fifthly, Ideal Mortgage filed for bankruptcy and GMAC obtained the note.

Now, I had been telling GMAC since 2009 of my financial hardship to the present. I had applied for modifications to be turned down or not to qualify. They neglected to help me. I am a 57 year old Vietnam Era Veteran and have communicated to GMAC via telephone and correspondence. Some of their agents or associates are located in various countries and neglected to help me on this matter. Some GMAC agents were rude and would tell me to short sale or get rid of the property. They did not or wish to assist or help me. This information can be found on file in GMAC's system and my letters addressed to them.

Finally, in 11/2009 they granted me forbearance. I explained to GMAC, I could not afford the money at the tail end. They advised me, that was the only available option. I constantly requested modification through the SaveMyHome/HardestHit program. They discouraged me to apply for the government programs. I had to sell my second car and jewelry to make the payments and tail end monies. GMAC did not care.

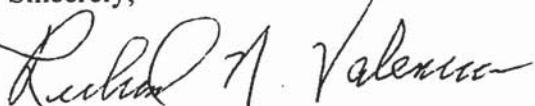
I continued to apply for modification to be granted on 11/2010. On December 2010, I was Laid-Off from my job at CSK/O'Reilly. I called them and notified them of my situation. They directed me to apply for another modification. Every time there were financial analysis forms. My financial situation was worst in 2010 than 2009. During 4/2010, I contracted Debt Restructuring





of America to service my credit card debt. In 12/2010 I declined to continue due to being unemployed and not affording payment. My debt ratio was higher in 2010 and they approved a modification. Since 12/2010 to 8/5/2012, I had been unemployed and receiving unemployment compensation. I continued to apply for unemployment forbearance and waivers. I did not qualify for neither. I then started falling behind on my payments to approximately 3 months at present. I continued to call GMAC for assistance. They advised me there were no programs available and I would have to be 3 months to qualify. Guess what, I am 3 months behind. GMAC directed me to contact the Treasury Department at the HUD Office and request for the Modification Waiver to be taken off. This would be the only way to qualify for any program. I contacted HUD and they knew nothing of this program. HUD directed me to contact GMAC and have them taken this waiver off. I did on numerous occasions and they refuse to do so. They are totally lost or neglecting to do so. I am very tired and stressed out of the running around ,bad communication, miss direction, agents not caring or assisting me in need. I have tried many government programs to be turned down. I feel GMAC could have helped me in 2009 and this situation would have never happened. It very well seems to me; they wish to put me on the streets. I receive ugly foreclosure letters from GMAC on numerous occasions. They call them the breach letters. I am trying very hard and doing my best to pay my payment, I have requested payment waivers, lowering my payment, assistance of a human nature. This situation again would have never happened; if proper channels were addressed. Too many GMAC employees in too many countries. Too much confusion. GMAC has made my financial hardship worst. I with all due respect, hold them responsible. This would have been avoided, If it was approved in 2009.

Sincerely,



Richard N. Valencia

Richard N. Valencia Sr.  
9255 West Taylor Street  
Tolleson, Arizona 85353  
February 27, 2012

Attn: AHFPFC Board of Directors  
c/o Assistant Deputy Director/Operations  
Arizona Department of Housing

Re: Richard N. Valencia Sr. Acct. # 0602171399 GMAC  
Save My Home Program/Protest

Dear Sir/Madam:

I am corresponding to notify you; I am truly disappointed with the Save My Home Program. It was not explained to me as to the parameters; nor, it was administered in a professional manner.

I find the program very misleading, misunderstood, bias, discriminating, pick and choose client program. It has caused a serious financial burden and more attention has to be placed on this program.

I am an unemployed 57 year old Vietnam Era Veteran. I was Laid-off on 12/2010. My home is underwater and valued at approximately \$39,000. That is a negative value of \$79,000.

I had/have applied for the Save My Home Program and have to this date; I have not received a denial letter explaining the facts of their decision. Letter has not arrived and I wish to contest the unjust valid of any negative findings.

The time I completed the application on line; With, the direction of Mr. Chris Smith, (Underwriter Manager). The system had notified me; I was a prime candidate and qualified for the program. I then communicated with Mr. Smith and he explained an agency named Take Charge America would notify me. It was months and I called the agency. I had retrieved the number from Mr. Smith. I spoke to a lady named Marga. She explained that classes would have to be taken and she would get in contact with me. Months went by and I contacted her. I left messages and I then contacted Mr. Smith. Same scenario, I left messages on his phone. Finally, I spoke to Marga and she explained a letter would be mailed on their findings. I wanted to know, What findings? To this date, I have not received any letter what-so-ever.

I am very, very disappointed. First, I qualify and now this. What is next?

I've had enough problems with my servicer in 2008 named Lend America/Ideal Mortgage Bankers. They went bankrupt and left my Rainy Day Foundation Account bone dry. I later found out; They appraised my home at a higher value. My new servicer became GMAC. In 2009, I was/had experienced financial concerns/issues. Filled out financial analysis forms and was

placed on a forbearance until 11/2009. The amount was paid at the tail end. I had contacted GMAC; I explained to them it was a financial burden. In 2010, I again applied for a modification. All forms were filled out and forwarded to GMAC. I was granted a HAMP and completed on 11/2010. The HAMP program was never explained to me and GMAC stated, I could apply in a year for another HAMP Program. In December of 2010, I was Laid-off from my job. Again, I contacted GMAC requesting financial mortgage assistance. I had written letters many times and called every month since 2009. They promised to work with me. They have not. My payments are made with my unemployment checks. They do not care and have given me the run around. It has got to a point, I cannot do this much longer. This home belonged to my grandfather. It is not the value of the home. I wish to keep it and hope agencies would help me. I continue to contact GMAC and they assure me to apply for another HAMP. They continue to lie and tell I need a job. They have mislead me since 2009 to present. I have contacted their refinance department. They notified me my payment would be higher because of FHA guidelines. They directed me to continue calling and make payment arrangements. I call every month and I have not had a negative monthly rating. The payments are made by the end of the month. GMAC has communicated and notified me that they would not foreclose.

I will forward various letters, modification forms, agencies of assistance, unemployment statements, identity theft, better business letter, DD-214, property valuation and other forms for your examination.

Thank you for your sincere time and cooperation.

Sincerely,

Richard N. Valencia Sr.

9255 West Taylor Street  
Tolleson, Arizona 85353  
623-939-5947  
July 24, 2010

ATTN: GMAC Loss Mitigation

Re: Loan Modification  
#0602171399  
SS#526-06-7083

Dear Sir/Madam:

For quite awhile, I have been applying for a financial hardship through the Home Affordable Modification Program. Numerous calls have been placed to your GMAC Representatives and I would have not found out about the Trial Program if I had not contacted your organization. It was brought to my attention on July 21, 2010; As, I was conversing with one of your representatives about the above program.

She informed me that the Trial Program would commence on August 1, 2010 and end on November 1, 2010. Payments of \$803.91 would be required on the first of each month. I informed her that I had made a payment of \$1006.42 on July 15, 2010 and was not able to make the \$803.91 in such an inadequate short notice of two weeks. I respectfully requested that the payment dates be moved to the 15<sup>th</sup> of each month. She informed me that she could not make those arrangements. I requested to speak to a manager. Your employee placed me on hold and shortly informed that a manager would contact me in 48 hours.

On July 21, 2010 a GMAC Manager named Arlene of phone number 1-888-714-4622, extension 8927057 contacted me. We spoke about the importance of the above matter. She informed me that it was no problem to extend the Trial Program Period and for it to commence on September 1, 2010. My question, are my trial payments extended to December 1, 2010? I received a bill from you confirming that the next payment is due on 9/1/2010. A copy will be forwarded for your viewing.

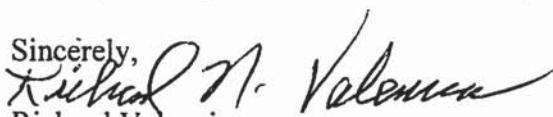
The following day, I received a correspondence form your organization through FED-X. It stated that payments of \$803.91 to commence on 8/1/2010 and end on 11/1/2010. I am confused; as, the day before I was informed by one of your managers that it was okay to make the payments on 9/1/2010. Now the Trial Program Payment was due on 8/1/2010. It stated that it was essential that payments were made on adequate time period. This is scary and I sold my jewelry to raise the \$803.91. The money was mailed certified #7010078000114557556, money order # 17586592536 for the amount of \$803.91 on July 23, 2010. Documents forwarded for your viewing. This was sent to the Louisville, Ky. Coupon address. Question Two: is this the commencing of the first payment on September 1, 2010?

Question three: When my finances were evaluated, did you take into consideration that my monthly take home pay is approximately \$1,268.59, (this including my use of vacation days); my, monthly expenditures are estimated at \$1,761.42. That is an overage/negative of \$492.82. The previous month, I had a \$400.00 of consumable income. That is as follows: \$1,268.59 plus \$400.00 equals \$1,668.59. Taken the difference of \$1,761.42 minus \$1,668.59 equals -\$92.83. Now, taken this information; do you not agree that my payment of \$1006.42 minus \$492.82 equals \$513.60? So, should my payment not be or be \$513.60? Pay stubs have been forwarded for your viewing.

I informed Debt Restructuring of America and their firm to intervene on my behalf. The documents have been forwarded to organization. It is very important that my payments are made affordable and for I to be productive, successful in your Home Affordable Modification Program.

Please, it would be appreciated if you respond at your earliest convenience and expedite your response.

Thank you for your time and sincere cooperation.

Sincerely,  
  
Richard Valencia